

HOUSE BILL 536

Unofficial Copy  
E3

2003 Regular Session  
(3r0581)

*ENROLLED BILL*  
*-- Judiciary/Finance --*

Introduced by **Delegates Zirkin, Amedori, Burns, Gutierrez, Jones, Morhaim,  
Nathan-Pulliam, and O'Donnell**

Read and Examined by Proofreaders:

\_\_\_\_\_  
Proofreader.

\_\_\_\_\_  
Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this  
\_\_\_\_ day of \_\_\_\_\_ at \_\_\_\_\_ o'clock, \_\_\_\_ M.

\_\_\_\_\_  
Speaker.

CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Department of Juvenile Justice - Summer Opportunity Pilot Program -**  
3 **Extension of Sunset**

4 FOR the purpose of repealing a restriction that limits the Summer Opportunity Pilot  
5 Program to not more than three counties; clarifying that the Program fund  
6 consists of money appropriated in the State budget and money from any other  
7 source; ~~requiring that~~ authorizing the Governor, beginning in fiscal year 2004,  
8 ~~the Governor to include specified~~ funding in the State budget to implement the  
9 Program; extending the Program's termination date; and generally relating to  
10 the Juvenile Justice Summer Opportunity Pilot Program.

11 BY repealing and reenacting, with amendments,  
12 Article 83C - Juvenile Justice  
13 Section 2-134  
14 Annotated Code of Maryland  
15 (1998 Replacement Volume and 2002 Supplement)

1 BY repealing and reenacting, with amendments,  
2 Chapter 691 of the Acts of the General Assembly of 2001  
3 Section 3

4 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
5 MARYLAND, That the Laws of Maryland read as follows:

6 **Article 83C - Juvenile Justice**

7 2-134.

8 (a) (1) In this section the following words have the meanings indicated.

9 (2) "Fund" means the Department of Juvenile Justice Summer  
10 Opportunity Pilot Program Fund.

11 (3) "Program" means the Department of Juvenile Justice Summer  
12 Opportunity Pilot Program.

13 (b) (1) There is a Department of Juvenile Justice Summer Opportunity Pilot  
14 Program [in not more than three counties in the State selected by the Department].

15 (2) The purpose of the Program is to develop and implement educational  
16 curriculum and activities in the summer months for the enrichment of children [in  
17 those counties selected by the Department] who are under the supervision of the  
18 Department.

19 (3) (i) There is a Department of Juvenile Justice Summer Opportunity  
20 Pilot Program Fund to finance the Program.

21 (ii) The Fund is a continuing, nonlapsing special fund, and is not  
22 subject to § 7-302 of the State Finance and Procurement Article.

23 (iii) The Fund [may consist of moneys the Governor includes]  
24 CONSISTS OF:

25 1. MONEY APPROPRIATED in the State budget [for] TO the  
26 Fund; AND

27 2. MONEY FROM ANY OTHER SOURCE ACCEPTED FOR THE  
28 BENEFIT OF THE FUND.

29 (iv) The State Treasurer shall hold and the State Comptroller shall  
30 account for the Fund.

31 (v) The Fund shall be invested and reinvested and any investment  
32 earnings shall be paid into the Fund.

33 (c) (1) The Program shall be administered as provided in this subsection.

- 1                   (2)     (i)     A group home operator or other interested party in a county:
- 2                                   1.     May develop a proposal for educational curriculum and  
3 activities during the summer months using faculty of the county school system for  
4 children in that county who are under the supervision of the Department; and
- 5                                   2.     Shall submit the proposal to the county board of education  
6 for review.
- 7                   (ii)     The county board:
- 8                                   1.     Shall review the proposal;
- 9                                   2.     In consultation with the requesting party, may make any  
10 changes that it deems necessary; and
- 11                                  3.     From among the proposals submitted, may forward a final  
12 proposal to the Department for approval by January 15 of each year.
- 13                   (3)     The Department:
- 14                                  (i)     In consultation with the State Board of Education, shall review  
15 a final proposal submitted by a county board by March 15 of each year;
- 16                                  (ii)     May make recommendations that it considers necessary; and
- 17                                  (iii)    May approve a final proposal of a county board for  
18 implementation in that county.
- 19                   (4)     (i)     If the Department approves a final proposal of a county board,  
20 the Department shall distribute to the county board moneys from the Fund to cover  
21 the cost of extending the contracts of participating teachers to implement and operate  
22 the Program.
- 23                                  (ii)     Moneys distributed from the Fund by the Department may be  
24 used only to cover the cost of extending the contracts of participating teachers.
- 25                   (d)     (1)     A county board may include in a final proposal:
- 26                                  (i)     Curriculum and activities that are for the benefit of children in  
27 any grade from kindergarten through grade 12 who are under the supervision of the  
28 Department;
- 29                                  (ii)     Curriculum and activities that use school facilities, libraries, or  
30 any other facilities at a location described in the final proposal;
- 31                                  (iii)    Curriculum and activities that are implemented for a school, for  
32 a group of schools, or for a county school system;

1 (iv) Curriculum and activities that are coordinated with an  
2 after-school opportunity program operating under Article 41, Title 6, Subtitle 8 of the  
3 Code;

4 (v) Tutoring in subjects specified in the final proposal; or

5 (vi) Field trips to locations described in the final proposal.

6 (2) A county board shall include in a final proposal the estimated cost of  
7 extending the contracts of participating teachers.

8 (e) (1) For fiscal year [2002] 2004 and each succeeding fiscal year, the  
9 Governor {may} ~~SHALL~~ include funds in the State budget ~~OF NOT LESS THAN \$500,000~~  
10 to establish and maintain the Program and the Fund and to accomplish the purposes  
11 of this section.

12 (2) Appropriations made under this section for extending the contracts of  
13 participating teachers may not be used to supplant the existing State share of basic  
14 current expenses under § 5-202 of the Education Article.

15 (f) The Department may adopt regulations to:

16 (1) Establish criteria for approving a final proposal;

17 (2) Administer the Fund; and

18 (3) Implement this section.

19

#### Chapter 691 of the Acts of 2001

20 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect  
21 {October 1, 2001} ~~JUNE 1, 2003~~. It shall remain effective for a period of [3] ~~5~~ 7 years  
22 and 8 MONTHS AND, at the end of [September 30, 2004] ~~MAY 30, 2008~~ MAY 31, 2008,  
23 with no further action required by the General Assembly, this Act shall be abrogated  
24 and of no further force and effect.

25 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
26 June 1, 2003.